

CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES



Cal OES
GOVERNOR'S OFFICE
OF EMERGENCY SERVICES

| | | |
|--|-------------------------------|------------------------|
| Grant Program: FY16 Homeland Security Grant Program | Grant Award No.: 2016-0102 | Cal OES ID#: 001-00000 |
| Subrecipient Name: Alameda County | | Project No: F; 006 |

REQUEST FOR NONCOMPETITIVE PROCUREMENT AUTHORIZATION

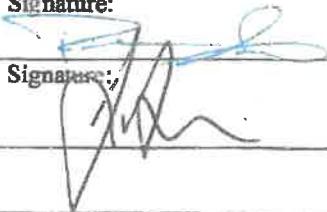
1. Activity: Alameda County Crime Lab Cell Phone Decryption Program Cost: \$\$219,000.00
2. Describe what the proposed vendor/contractor will provide. The Alameda County Crime Lab currently utilizes Celebtite equipment (hardware and software) for extracting and processing cellular phones for evidentiary and investigative purposes. The AC Crime Lab is requesting to purchase the following two products: A: Universal Forensic Extraction Device (UFED) and Cellebrite Advanced Service (CAS) Unlocking and Extraction Technology; B: UFED Analytics Enterprise. These products are an upgrade to other Cellebrite products and computer software in use at the AC Crime Lab. The upgrade is essential to allow the Crime Lab to unlock cell phones for investigative and evidentiary purposes and to extract information used in planning and/or execution of criminal and/or terrorist activities.
3. Describe your organization's standard procedures when considering a noncompetitive contract, including the conditions under which a noncompetitive contract is allowed, and any other applicable criteria (i.e. approval requirements, monetary thresholds, etc.). Please see the attached documents regarding Alameda County's purchasing/procurement procedures in regards to Sole Source Contracting.
4. Indicate which of the following circumstances resulted in your organization's need to enter into a noncompetitive contract. See 2 C.F.R. Part 200, Subpart D, §200.320.
 - a. The item is available only from a single source. (Describe and detail the process used to make that determination.). The product was researched on the internet by GSA. It was determined the requested product and supplier cannot be substituted and satisfy the County's requirement. Cellebrite is the sole distributor for Universal Forensic Device (UFED) Premium Desktop and Cellebrite Advanced Service (CAS) Unlocking and Extraction Technology and UFED Analytics Enterprise. AC Crime Lab is currently using the Cellebrite equipment which is proprietary and the upgrade must be obtained from Cellebrite. Therefore, this is a non-competitive procurement; quotations are not possible.
 - b. A public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation. (Describe the exigency or emergency. Provide details.)
 - c. After solicitation of a number of sources, competition was determined inadequate. (Describe the solicitation process that determined competition was inadequate. Provide details, and attach relevant supporting material, Request for Proposal, etc.)
5. Did your organization confirm that the contractor/vendor is not debarred or suspended?

Yes; Alameda County's purchasing department verifies all vendors are not suspended or disbarred. The disbarment/suspension form is a part of the sole source documentation. The Debarment and Suspension Certification form is attached.

6. Will all activities be completed within the period of performance?
 Yes; it will take approximately 3 months from the time the order is placed for the project to be completed.
 The grant performance period ends May 31, 2019.

7. Please attach a copy of the cost or price analysis prepared for this procurement.
 Please see attached memo: Finding of Non-Competition – Sole Source #5274-1 Purchase from Cellebrite INC.

Certification: This is to certify that, to the best of our knowledge and belief, the data furnished on this form is accurate, complete and current. We further certify that this procurement has followed local procurement policies, and state and federal guidelines. We understand that any fraudulent information contained on this form may have an effect on future Cal OES funding for this organization.

| | | | |
|-------------------|--|---|---------------|
| Submitted By: | Name: Pace Stokes, Captain, Office of Emergency Services | Signature:  | Date: 8/17/18 |
| Purchasing Agent: | Name: John Glann, GSA- Purchasing Manager | Signature:  | Date: 8/17/18 |

Cal OES Internal Use Only

| | |
|--|-------|
| Program Representative Review - Comment: | Date: |
| Unit Chief Review - Comment: | Date: |
| Unit Chief Approval: | Date: |
| Division Chief Review - Comment: | Date: |
| Division Chief Approval: | Date: |

EDMUND G. BROWN JR.
GOVERNOR

MARK S. GHILARDUCCI
DIRECTOR



August 24, 2018

Sheriff Gregory J. Ahern
Alameda County Sheriff's Office
1401 Lakeside Drive, 12th Floor
Oakland, CA 94612-4305

SUBJECT: NONCOMPETITIVE PROCUREMENT CONTRACT APPROVAL
FY2016 Homeland Security Grant Program (HSGP)
Grant #2016-00102; Cal OES ID #001-00000

Dear Sheriff Ahern:

The California Governor's Office of Emergency Services (Cal OES) received, reviewed, and approved your revised Noncompetitive Procurement Authorization request dated July 12, 2018, based on the information your office provided regarding the proposed procurement of:

- Alameda County Crime Lab Cell Phone Decryption Program; \$219,000

Thank you for your work in protecting California. We look forward to your continued collaboration toward our homeland security strategy and appreciate your cooperation and support.

Sincerely,

A handwritten signature in black ink, appearing to read "Darren Tsang".

DARREN TSANG
Unit Supervisor

Cellebrite, Inc.

7 Campus Drive
 Suite 210
 Parsippany NJ 07054
 United States
 Tel: +1 201 848 8552
 Fax: +1 201 848 9982
 Tax ID #: 22-3770059
 DUN #: 033095568

**Invoice**

Invoice #: INVUS200412

Date: 10/22/2018

Sales Order #SOUS36620

Bill To

Alameda County Sheriff's Office
 4985 Broder Blvd
 Dublin CA 94568
 United States

Ship To

Alameda County Sheriff's Office
 2901 Peralta Oaks Ct.
 Oakland CA 94605
 United States

David Chun
 (510) 382-3304

Fulfillment #ITF53880

| PO # | Ship Date | Terms | Freight term | Currency |
|------------------|------------|--------|--------------|----------|
| SHERF-0000012381 | 10/16/2018 | Net 30 | FCA | USD |

| Item | Quantity | Period Start Date | Period End Date | Unit Price | Ext. Price |
|--|----------|-------------------|-----------------|------------|------------|
| <u>UFED Premium Package</u> | 1 | 09/23/2018 | 09/22/2019 | 100,000.40 | 100,000.40 |
| UFED-P Desktop including Installation and Training | 1 | | | | |
| UFED-P Software Dongle | 1 | | | | |
| UFED Premium 1 Action | 140 | | | | |
| Redundant UFED Premium system | 1 | | | | |
| <u>Analytics Bundle Configuration</u> | 1 | 10/16/2018 | 10/16/2018 | 99,500.00 | 99,500.00 |
| UFED Analytics Enterprise | 1 | | | | |

Subtotal \$199,500.00

9.26% Tax Total (5.53%) 9250.00 \$11,033.96

Total \$210,534.36

Amount Due \$210,534.36

#120931

Analytics Enterprise Configuration

| Number of Users | Number of Digital Evidence | Decoding |
|-----------------|----------------------------|----------|
| 10.0 | 500.0 | Yes |

208,750.00

Cellebrite, Inc.

7 Campus Drive
Suite 210
Parsippany NJ 07054
United States
Tel: +1 201 848 8552
Fax: +1 201 848 9982
Tax ID #: 22-3770059
DUN #: 033095568



Invoice

Invoice #: INVUS200412

Date: 10/22/2018

Sales Order #SOUS36620

| Item | Serial Numbers |
|------|----------------|
|------|----------------|

Order Creator: Zach Cohen

Customer Comments:

will pursue two optionsBundle of Total 140 Premium unlock actions and 10 user 500 searchable digital evidence units. Does not include server hardware for Analytics. Sever PO to be issued by Sept 30th per Cecilia.

SEND INVOICES TO:

County of Alameda Sheriff's Office

Office of Homeland Security and Emergency Services 4985 Broder Blvd., Dublin, CA 94568-3314

DEPARTMENT VENDOR LIAISON: (925) 803-7800.

Terms & Conditions:

Terms and conditions:

- Payment terms: Net 30; 1.5% per month interest on late payment
- Shipping: FCA, Parsippany, NJ, USA : Limited Warranty: Hardware: 12 Months; Software: 60 days; Touch Screen: 30 days
- 12 months software support included in initial purchase. The next support period purchased begins immediately at the end of the 12 months, i.e., no gaps in support period are allowed.

Cellebrite has three different terms of sale.

Any purchase of unlocking services are governed by <http://legal.cellebrite.com/CB-us-us/index.html>.

Any purchase of UFED Premium are governed by <http://legal.cellebrite.com/home/usa-ufed-use-agreement-01292018.pdf>.

Any other purchases of products or services, including without limitation training services, are governed by <http://legal.cellebrite.com/us/index.html>.

In addition to these terms, software is licensed by Cellebrite in accordance with an end user license agreement available at <http://legal.cellebrite.com/us/Cellebrite-EULA.pdf>.

A promotional purchase, including without limitation a zero dollar purchase, is deemed a purchase.

In the event of any dispute as to which terms apply, Cellebrite shall have the right to reasonably determine which terms apply to a given purchase order.

Cellebrite, Inc.

7 Campus Drive
 Suite 210
 Parsippany NJ 07054
 United States
 Tel: +1 201 848 8552
 Fax: +1 201 848 9982
 Tax ID #: 22-3770059
 DUN #: 033095568

**Cellebrite**Digital intelligence
for a safer world**Invoice**

Invoice #: INVUS200744

Date: 31/10/2018

Sales Order #SOUS37331

Bill To
 Alameda County Sheriff's Office
 2901 Peralta Oaks Ct.
 3rd FL
 Dublin California 94568
 United States
 David Chun
 (510) 382-3304

Ship To
 Alameda County Sheriff's Office
 2901 Peralta Oaks Ct. 3rd FL
 Oakland CA 94605
 United States
 David Chun
 (510) 382-3304

Fulfillment #ITF54692

| PO # | Ship Date | Terms | Freight term | Currency |
|------------------|------------|--------|--------------|----------|
| SHERF-0000012442 | 31/10/2018 | Net 30 | FCA | USD |

| Item | Quantity | Unit Price | Ext. Price |
|------------------------------------|----------|------------|------------|
| F-UFD-04-019 3rd Party Hardware | 1 | 8,500.00 | 8,500.00 |

| | |
|-----------------------|-------------------|
| Subtotal | \$8,500.00 |
| Shipping and Handling | \$120.00 |
| Tax Total (9.25%) | \$797.35 |
| Total | \$9,417.35 |
| Amount Due | \$9,417.35 |

Order Creator: Janelle Vega

Customer Comments:

UAE Large Appliance design

Dell T7920
 Dual Socket 16C CPU @ 3.7GHz
 256G of RAM
 Nvidia P4000 GPU
 Mirrored 512G SSD
 Mirrored 4TB Drives
 Onboard Dual Gigabit ethernet

121283

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